

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JOSEPH DIMARIA,
Administrator of the Estate
of MICHAEL DIMARIA
Plaintiff

v.

CONCORD ENTERTAINMENT, INC
d/b/a BILL'S BAR/
THE LANSDOWNE PUB
Defendant.

CIVIL ACTION NO.: 12-11139

NOTICE OF REMOVAL

NOW COMES the defendant, Concord Entertainment, Inc. d/b/a Bill's Bar/Lansdowne Pub (misnomer), (hereinafter Defendant), and pursuant to 28 U.S.C. sections 1441 and 1446 hereby remove the below-identified Superior Court proceeding to the United States District Court, District of Massachusetts, Eastern Division.

As grounds herefor, the Defendant states the following:

1. The Defendant described herein is currently a defendant in a Massachusetts Superior Court action between the above-stated parties that is identified by Superior Court docket number SUCV2012-02036H, currently pending in Suffolk Superior Court;
2. The Defendant received service of the Complaint in the Superior Court action on June 19, 2012 and is making this Petition for Removal within the 30-day period for doing so, pursuant to 28 U.S.C. 1446;
3. The Plaintiff is a resident of the State of New York and the Defendant Concord Entertainment, Inc. d/b/a Bill's Bar/Lansdowne Pub, is a resident of the Commonwealth of Massachusetts;
4. The United States District Court has jurisdiction over this claim pursuant to 28 U.S.C. 1332, as no known defendant is a resident of the State of New York, the Plaintiff's state of domicile;
5. The United States District Court, District of Massachusetts, Eastern Division is the appropriate venue for this proceeding, as the defendant to this action is located within Suffolk county. All pleadings filed in the Superior Court action to date have been attached hereto as "Exhibit 1";

6. On the date of this filing, a copy of the same will be served upon all adverse parties, and a copy of this Notice and the associated pleadings will be filed with the Clerk of Suffolk Superior Court.

Dated: June 27, 2012

Respectfully submitted,
The Defendant, Concord Entertainment, Inc.
d/b/a Bill's Bar/The Lansdowne Pub,
By its Attorneys,

/s/ Sharmili P. Das

H. Charles Hambelton (218560)

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CERTIFICATE OF SERVICE

I hereby certify that this document, filed through the ECF System, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

Dated: 06/27/12

/s/ Sharmili P. Das
Sharmili P. Das